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Joint written statement* submitted by New Humanity, a non-governmental organization in general consultative status, Associazione Comunita Papa Giovanni XXIII, Dominicans for Justice and Peace - Order of Preachers, International Organization for the Right to Education and Freedom of Education (OIDEL), Mouvement International d'Apostolate des Milieux Sociaux Independants, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Mainstreaming Human Rights and the Right to Development in the implementation of the 2030 Agenda for Sustainable Development

Associazione Comunità Papa Giovanni XXIII (APG23) and the co-signing NGOs welcome the initiative of the Human Rights Council to discuss on its Annual high-level panel on human rights mainstreaming, the topic "The 2030 Agenda for Sustainable Development and human rights, with an emphasis on the right to development".

The 2030 Agenda for Sustainable Development, adopted at the UN summit in New York in September 2015, is truly of unprecedented scope and significance. Its 17 Sustainable Development Goals comprise an ambitious blueprint for a world that leaves no one behind.

In contrast with the MDGs that were mainly considered targets for developing countries, with funding provided by developed countries, the 2030 Agenda is founded on universal implementation, recognising that poverty and inequalities today hit every country.

The new agenda moves from a model of charity to one of justice, based on the inherent dignity of people as human rights-holders, domestic governments as primary duty-bearers, and all development actors sharing common but differentiated responsibilities taking into account variations in national situations.

From a human rights perspective, the goals and targets for the most part stop short of using explicit human rights language. On the other hand, the preamble of the document says clearly that the agenda "is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law and is grounded in the Universal Declaration of Human Rights, international human rights treaties, the Millennium Declaration and the 2005 World Summit Outcome Document. It is also informed by other instruments such as the Declaration on the Right to Development".

Indeed, the Agenda for Sustainable Development has incorporated the transformative vision of the Declaration on Right to Development since it aims at realising a comprehensive, people-centred development based on the respect of human rights, a fairness in the distribution of wealth and benefits through a renewed global partnership, and the creation of an international and national enabling environment for sustainable development, social justice and lasting peace that address the root causes of inequities and existing structural obstacles.

According to the new agenda, all the above mentioned aims should follow the principles of participation, non-discrimination, indivisibility of human rights, accountability, equality of opportunities between men and women as well as the respect for the sovereignty of peoples over all natural wealth and resources and the right to self-determination of peoples. These principles are all well elaborated in the Declaration on Right to Development.

The question is: will the implementation of the 2030 Agenda for Sustainable Development lag behind as is the case with the Right to Development? We hope not. If adequately implemented, the Agenda, and especially goal 17, will provide a new impetus for realizing the right to development and will have a significant impact on the enjoyment of human rights by everyone, everywhere.

Getting consensus on such a broad development agenda was an achievement in itself, but the real work starts now for it remains a responsibility of Member States and all the other development actors to mainstream human rights, including right to development, in the means of implementation as well as in the choice of adequate indicators for monitoring the implementation of goals and targets.

The long process of developing the 2030 Agenda for Sustainable Development has been very participatory and inclusive, with satisfactory results and compromises. Similarly, the monitoring for the implementation of the new agenda has to be participatory and inclusive, carried out at national, regional and international level, and focusing on both the policy and budgetary efforts of governments alongside development outcomes. Integration of meaningful

institutions and systems to ensure human rights accountability of all development actors is crucial. Civil society will have a great role to play in the monitoring process.

While states remain the primary duty-holder in development, all development actors, including third-party states, the private sector and international financial institutions have to be made responsive and accountable for achieving and not undermining global goals.

APG23 and the co-signing NGOs welcome the explicit reference to the UN Guiding Principles on Business and Human Rights in the Agenda.
In fact, Governments have a duty to protect human rights through the proper oversight and regulation of private actors, especially of business and private financial actors, to guarantee in practice that they respect human rights and the environment, including in their cross-border activities. No government should allow its territory to be used for illegal or criminal activities elsewhere, such as tax evasion, depositing assets obtained through corruption, environmental crimes or involvement in human rights violations, no matter the perpetrator.

Effective accountability architecture will be critical for the full implementation of the Sustainable Development Goals (SDGs). As proposed in the UN Secretary General's Synthesis Report[1], there should be a universal review process built on "*national ownership, broad participation and full transparency*." The universal review process should function in close relationship with national and regional review processes.

The global High Level Political Forum (HLPF) has already been mandated by Member States to build on existing reviews and existing reporting mechanisms, and this should include systematically integrating existing reports and recommendations generated by international human rights mechanisms that are relevant to the SDGs. Incorporating reports and recommendations from the Human Rights Council's Universal Periodic Review (UPR), the human rights treaty bodies, and Special Procedures will be essential. Moreover, the general principles guiding the follow-up and review processes at global, regional and national levels should be based on the human rights principles of universality, participation, accountability, non-discrimination and equality.

The human rights relevance of the 2030 Agenda will also depend on the choice of concrete indicators that should refer to and require disaggregated data to be meaningful for monitoring its implementation.

The report of the Inter-Agency and Expert Group on Sustainable Development Goal Indicators[2] that will be presented at the 47th session of the Statistical Commission in March 2016 contains global indicators that are also useful for gauging the realisation of human rights, including the right to development. For example, disaggregated data on the percentage of population covered by social protection floors can be found among the indicators for eliminating poverty. The indicator "Number of ILO conventions ratified, by type of convention" is explicitly measuring progress on labour rights and decent work.

Other indicators are very interesting when compared to the criteria and operational sub-criteria for the implementation of the right to development under discussion at the Open Ended Intergovernmental Group on Right to Development of the Human Rights Council. In this regard, the OEIWG on RTD should speed up the finalisation of the criteria and operational sub-criteria and can play a great role on how the RTD framework could facilitate effective implementation of future Sustainable Development Goals (SDGs).

Mainstreaming human rights in the 2030 Agenda for Sustainable Development means also that Governments should oblige, with the pre-existing human rights legal norms, standards and political commitments to which they have already voluntarily agreed.

In relation to Official Development Assistance (ODA), developed countries must fulfil the commitment to reach the target of 0.7% of GNP as well as the target of 0.15 to 0.20 per cent of gross national product for ODA to the least developed countries.

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1 The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet- Synthesis Report of the Secretary-General On the Post-2015 Agenda
2 E/CN.3/2016/2

Governments should also assess the human rights impact beyond their borders of their policies and agreements in areas such as environment, trade, investment, aid, tax, migration, intellectual property, debt, weapons trade and military cooperation, monetary policies and financial regulation.

Finally, we would like to raise a serious concern in regard to the first negative signals given by some States at the dawn of the implementation of the 2030 Agenda for Sustainable Development. A clear example is the issue of migration.

The 2030 Agenda recognises the positive contribution of migrants for inclusive growth and sustainable development. It calls on full respect for the human rights and humane treatment of migrants, refugees and displaced persons while highlighting the necessity to meet the special needs of people living in areas affected by complex humanitarian emergencies.

With the Sustainable Goal 10, the international community committed to ensuring equal opportunities through the elimination of discriminatory laws, policies and practices, while **facilitating orderly and safe human migration and mobility**.

In this unprecedented era, where conflicts and persecutions around the world have forced more than 60 million people to flee their homes, where an unprecedented number of refugees and migrants has clearly demonstrated to be ready to set out on a dangerous and uncertain journey in order to seek asylum in Europe, the whole international community has been shamefully missing the opportunity and the duty to respond to those globally agreed commitments.

Europe and the rest of the world, which do have the instruments to respond to this crisis, have let the feeling of compassion and solidarity be replaced so far by internal political interests and deceptive fear.

It is now time to show that the ambitious plan of the 2030 Agenda for Sustainable Development of creating a more equal and inclusive world for all, corresponds to a real and authentic will.